



ASSISTIVE TECHNOLOGY FOR STUDENTS WITH DISABILITIES

IMPORTANT: ELC's publications are intended to give you a general idea of the law. However, each situation is different. If, after reading our publications, you have questions about how the law applies to your particular situation, contact us for a referral or contact an attorney of your choice.

WHAT IS AN ASSISTIVE TECHNOLOGY DEVICE?

An assistive technology (AT) device is any item that is used to maintain or improve the functioning of a child with a disability. The device can be complex, such as an augmentative communication device, or simple, such as a modified switch so that a child with a physical limitation can turn on the classroom computer. The device can be customized, or can be available "off the shelf" like a tape recorder. In some cases, a computer can be an AT device. A medical device (such as a cochlear implant) that is surgically implanted, and the replacement of such a device, is not an assistive technology device or service and does not have to be provided by a school district.

WHAT IS AN ASSISTIVE TECHNOLOGY SERVICE?

An assistive technology service includes evaluating children to determine their AT needs; training students, parents, teaching staff, and other professionals; making necessary modifications to equipment or furniture; repairing devices; and coordinating and using physical or occupational therapy with an AT device.

WHEN IS A CHILD ELIGIBLE FOR AN ASSISTIVE TECHNOLOGY DEVICE OR SERVICE?

Children with a wide range of disabilities can often benefit from AT devices and services. For example, a child who cannot speak may need a communication device such as a language board or a device with a speech synthesizer to participate in class; a child with a

vision impairment may benefit from a device that enlarges printed words; and a student with a learning disability may need a computer program to learn to read.

A child who is eligible for special education is entitled to the assistive technology devices and services needed for her to receive "a free appropriate public education." Like any other type of special education or related services, decisions regarding a child's need for AT devices and services are made by the Individualized Education Program (IEP) Team, which includes the parents. The services or devices that are agreed upon must be listed in the child's IEP and provided to the child within 10 *school days* for school-aged students, and 14 *calendar days* for pre-schoolers in Early Intervention programs. For children under age three, the decisions are made by the Individualized Family Service Plan (IFSP) Team, which also includes the parents, and the devices and services are listed in the child's IFSP. Infants and toddlers with disabilities must be provided with the services in their IFSPs within 14 *calendar days*. An assistive technology evaluation may be a good initial service to put in the IEP to determine what the child's needs are in the education setting (more information on evaluations below).

Some children with disabilities who need accommodations and services from their school district, but who do not need "special instruction," have those accommodations listed on Service Agreements (also known as Section 504 Plans). These children can also need, and be entitled to, AT such as a modified desk or a special chair. If so, the device or service must be listed in the Service Agreement.

WHO IS RESPONSIBLE FOR PROVIDING ASSISTIVE TECHNOLOGY TO A CHILD?

Children with disabilities of school age are entitled to receive the AT they need from their school districts; most pre-schoolers get AT and other services from their Intermediate Units (IUs); and the youngest children get AT and other Early Intervention services from their County Office of Mental Health and Mental Retardation. The type of device needed to receive an appropriate special or regular education program, and any necessary training for the child, family or staff must be listed on the child's IEP or, if under three, the IFSP. For pre-schoolers, all services on the IEP, including AT, must be provided within 14 *calendar days*. For children of school age, the services on the IEP must be provided within 10 *school days*.

HOW DO I FIND OUT IF MY CHILD CAN BENEFIT FROM ASSISTIVE TECHNOLOGY?

If you believe your child needs an AT device or service, ask your school district, Intermediate Unit, or County MH/MR Office to evaluate your child for this purpose. The evaluation must be free, and, for school-age students, completed and presented to the parents within 60 *school days* of the parents' signing the Permission to Evaluate form. For pre-schoolers the deadline is 60 *calendar days*. Infants and toddlers must be evaluated, and their initial IFSPs developed, within 45 *calendar days* of the families' request to the County. Each IU in the state has an assistive technology consultant who can help ensure that your child is properly evaluated.

The evaluation should determine the extent of the child's needs, the type of device or service that is necessary, and the training the youngster, family, teacher, and other professional staff will need. The evaluation can be broad or can focus on a particular area, such as reading or communication. If there are several devices that might be appropriate a trial period with each can be arranged. The specific arrangement - with timelines - should be listed on the education plan. Both

PaTTAN (<http://www.pattan.k12.pa.us/supportingstudents/shorttermloan.aspx>)

and Pennsylvania's Initiative on Assistive Technology (PIAT) lend various AT devices for free. Information on how to contact PIAT is listed below.

HOW MUCH WILL THE DEVICE OR SERVICE COST?

A device or service listed on an IEP or IFSP must be provided to the student without cost to the family while the child is in school, so long as the device or service is listed in the IEP or IFSP. If the child has a Medical Assistance (MA) card the device or service may also be available through MA, although it must be obtained through MA without cost to the family. If secured through MA, the device belongs to the child and will not have to be returned when the student's schooling ends. In addition to the family obtaining a device through the child's individual MA, the school district may be able to bill MA through Project ACCESS. Regardless of the route, if MA has paid for the device the device belongs to the child, not to the school district.

CAN THE STUDENT TAKE THE DEVICE HOME?

The youngster may take the device home if needed to do homework and other school activities. The student's education plan should state whether the child can take the device home, including, if the student is receiving extended school year services, whether the student can use the device during the summer.

WHAT IF I DISAGREE WITH THE EDUCATION OR EARLY INTERVENTION AGENCY?

If you disagree with the decision regarding your child's need for AT or the type of device or service needed, you have the right to use the mediation or Due Process Hearing procedures. You can get more information about those processes from the groups listed below. Also check out ELC's Fact Sheet, *Resolving Special Education Disputes*, which is available from our website or phone numbers listed below.

FOR MORE INFORMATION ABOUT ASSISTIVE TECHNOLOGY SERVICES, TRY:

PENNSYLVANIA'S INITIATIVE ON ASSISTIVE TECHNOLOGY (PIAT)

800-204-7428 (voice)

866-268-0579 (TTY)

<http://disabilities.temple.edu/programs/assistive/piat>

Email: ATinfo@temple.edu

Lending Library: 877-722-8536 (voice), 800-204-7428 (voice/TTY), or email to atlend@temple.edu

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